

REMARKS/ARGUMENTS

The amendments set forth above and the following remarks are responsive to the points raised by the Office Action dated May 27, 2009. In view of the amendments set forth above and the following remarks, reconsideration is respectfully requested.

The Pending Claims

Claims 1-12 remain pending. Claim 9 is rewritten in independent form. No new matter is added, and support for the amended claim language may be found within the specification, claims, and drawings. Support for claim 9 may be found in the specification at, e.g., original claim 9.

The Office Action

Claims 1-12 were rejected under 35 U.S.C. § 103 as unpatentable over U.S. Patent Application Publication No. 2003/0155479 to Kishi et al. (hereinafter, "Kishi") in view of U.S. Patent No. 6,946,988 to Edwards et al. (hereinafter, "Edwards").

This rejection is respectfully traversed.

The obviousness rejection cannot be maintained because the cited combination of references, Kishi and Edwards, fails to teach or suggest each and every element of independent claims 1 and 9.

Independent claims 1 and 9 each recite a control panel having a bottom part "detachably hinged" to that of the chassis front side. According to the Office Action, Kishi teaches that the adjacent corners of the chassis and control panel are releasably hinged together. Edwards teaches a detachable remote controller for an electronic entertainment device (col. 2, lines 60-62). However, neither Kishi nor Edwards teaches or suggests a control panel that is "detachably hinged" to the chassis, as claimed in independent claims 1 and 9. The panel 3 of Kishi is not detachable from the main body 2, and the remote controller of Edwards is not hinged. Moreover, the Office Action does not explain why a control panel that is "detachably hinged" to the chassis would have been obvious to one of ordinary skill in the art. In order for an obviousness rejection to be maintained, the Office Action must provide an appropriate supporting rationale for the proposed modification (*KSR*

International Co. v. Teleflex Inc. (KSR), 550 U.S. 398, 82 USPQ2d 1385 (2007); (MPEP § 2141). The Office Action has failed to do this. Accordingly, the obviousness rejection of claim 1 cannot be maintained.

Claim 9 is rewritten in independent form. Claim 9 recites that a wireless link is provided by “a pair of transmitter and receiver.” In other words, the claimed equipment uses a single transmitter and receiver for both the attached and detached conditions of the claimed equipment. The use of a single transmitter and receiver, as claimed, has numerous advantages, including greater simplicity and a reduction in the number of components used in the device. In addition, the use of the same transmitter and receiver with the attached and detached conditions of the claimed device advantageously avoids having to switch from one communication channel to another, as explained in the specification (e.g., page 7, line 27 to page 8, line 3).

On the contrary, the combination of Kishi and Edwards fails to teach or suggest a single pair of transmitter and receiver, as claimed in claim 9. The Office Action correctly acknowledges that Kishi fails to teach the claimed wireless link. Edwards describes a device including a first infrared transmitter and a second infrared transmitter (Edwards, Abstract, col. 1, line 56 to col. 2, line 4; col. 3, lines 42-46; col. 4, lines 24-39; col. 5, lines 29-45). Edwards claim 1 requires first and second infrared transmitters for use when the remote controller is docked and not docked, respectively. Claim 9 of Edwards requires the use of metal contacts when the remote controller is docked and an infrared transmitter when the remote controller is not docked. Claim 12 of Edwards requires a first infrared transmitter for use when the remote controller is docked, and claim 13 of Edwards adds a second infrared transmitter for use in the detached condition. Accordingly, unlike the claimed device, the device of Edwards does not use the same communication channel in the attached and detached conditions. Because the combination of Kishi and Edwards fails to teach or suggest a single pair of transmitter and receiver, as claimed in claim 9, and because the Office Action fails to explain why a single pair of transmitter and receiver would have been obvious to one of ordinary skill in the art, the obviousness rejection of claim 9 cannot be maintained.

Independent claims 1 and 9 are patentable for the reasons set forth above. The dependent claims are also patentable because they depend from and include the limitations of independent claims 1 and 9.

With respect to claim 11, the Office Action takes Official Notice that it would have been obvious to locate the transmitter and receiver at central locations.

Applicant respectfully and expressly traverses this Official Notice. The Office Action merely states that Official Notice is taken that it would have been obvious to locate the transmitter and receiver at central locations. As stated in MPEP § 2144.03, a proper application of Official Notice requires that the facts that are asserted to be well known are "capable of instant and unquestionable demonstration" as being well-known. The Office Action has not shown that to locate the transmitter and receiver at substantially central positions as between left and right along the width of the control panel and chassis is "capable of instant and unquestionable demonstration" as being well-known. Moreover, MPEP § 2144.03 states that it is never appropriate to rely solely on "common knowledge" in the art without evidentiary support in the record, as the principal evidence upon which a rejection was based. If the Office intends to maintain this ground of rejection, then some prior art publication must be provided establishing knowledge in the art of locating the transmitter and receiver at substantially central positions as between left and right along the width of the control panel and chassis. In particular, such a publication must teach or suggest modification of any of the cited publications in a way that could produce the claimed invention. Accordingly, the obviousness rejection of claim 11 cannot be maintained.

Conclusion

The Applicant respectfully submits that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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Amendment or ROA - Regular (SML/snv)